

SCRUTINY COMMITTEE

Wednesday, 1st July, 2020
6.30 pm





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Wednesday, 1st July, 2020 at 6.30 pm

This agenda gives notice of items to be considered in private as required by Regulations (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Members are reminded that if they have detailed questions on individual reports, they are advised to contact the report authors in advance of the meeting.

Members of the public may ask a question, make a statement, or present a petition relating to any agenda item or any matter falling within the remit of the committee.

Notice in writing of the subject matter must be given to the Head of Legal & Democracy by 5.00pm on the day before the meeting. . Forms can be obtained for this purpose from the reception desk at Burnley Town Hall, Manchester Road or at the Contact Centre, Parker Lane, Burnley or from the web at:

<http://burnley.moderngov.co.uk/ecCatDisplay.aspx?sch=doc&cat=13234> . You can also register to speak via the online agenda. Requests will be dealt with in the order in which they are received.

All meetings are currently being held remotely. Members of the public wishing to address the meeting should submit their request in the usual way, and will then be invited either to join the meeting by video conference or to make a submission in writing which will be shared with the Committee.

All public meetings are being livestreamed on the Council's [Youtube Channel](#)

AGENDA

1) Apologies

To receive any apologies for absence.

2) Minutes

5 - 10

To approve as a correct record the minutes of the previous meeting.

3) Additional Items of Business

To determine whether there are any additional items of business which, by reason of special circumstances, the Chair decides should be considered at the meeting as a matter of urgency.

4) Declarations of Interest

To receive any declarations of interest from Members relating to any item on the agenda, in accordance with the provisions of the Code of Conduct and/or indicate if S106 of the Local Government Finance Act 1992 applies to them.

5) Exclusion of the Public

To determine during which items, if any, the public are to be excluded from the meeting.

6) Public Question Time

To consider questions, statements or petitions from Members of the Public.

PUBLIC ITEMS

7) Notice of Key Decisions and Private Meetings

11 - 14

To consider the list of future Key Decisions.

8) Scrutiny Review Groups

To continue with the scrutiny of the Council's response to the COVID 19 pandemic which had been considered at the last meeting and to consider the questions held over from that meeting and responses provided by officers. (to follow)

Also to consider an update on the housing review that had been held over from the 2019/20 cycle. The extract minute from 11th March meeting states

Minute 73 (b)

Following a review group meeting held in February Members received a response from Calico on the process for reporting housing repair issues and received a copy of Calico's repairs policy and also a copy of the Customer Insight Report for July to September 2019.

Members of the review group did not feel that Calico's response was what had been agreed at the review group meeting in February and asked that members gather evidence over the coming months to present to a future review group meeting on this issue.

IT WAS AGREED

That the Housing Repairs Scrutiny Review be carried over into the 2020/21 Scrutiny Work Programme.

9) Work Programme 2020/21

15 - 16

To consider the Work Programme for 2020/21.

MEMBERSHIP OF COMMITTEE

Councillor Andrew Tatchell (Chair)
Councillor Marcus Johnstone (Vice-Chair)
Councillor Howard Baker
Councillor Tom Commis

Councillor Shbana Khan
Councillor Gordon Lishman
Councillor Sehrish Lone
Councillor Lorraine Mehanna
Councillor Lian Pate

Councillor Dale Ferrier
Councillor Andy Fewings
Councillor Beatrice Foster
Councillor Peter Gill
Councillor Tracy Kennedy

Councillor Emma Payne
Councillor Ann Royle
Councillor Mark Townsend

PUBLISHED

Tuesday, 23 June 2020



SCRUTINY COMMITTEE

BURNLEY TOWN HALL

Wednesday, 10th June, 2020 at 6.30 pm

This meeting was a remote meeting held under the Coronavirus Act 2020.

PRESENT

MEMBERS

Councillors A Tatchell (Chair), M Johnstone (Vice-Chair), H Baker, T Commis, D Ferrier, A Fewings, B Foster, P Gill, T Kennedy, S Khan, G Lishman, S Lone, L Mehanna, L Pate, A Royle and M Townsend

OFFICERS

Lukman Patel	– Chief Operating Officer
Rob Dobson	– Head of Policy and Engagement
Paul Gatrell	– Head of Housing & Development Control
Simon Goff	– Head of Green Spaces and Amenities
Kate Ingram	– Strategic Head of Economy and Growth
Asad Mushtaq	– Head of Finance and Property
Catherine Waudby	– Head of Legal and Democratic Services
Alison McEwan	– Democracy Officer
Imelda Grady	– Democracy Officer
Christine Wood	–

IN ATTENDANCE

The Leader and Executive Members, Councillors Charlie Briggs, Margaret Lishman, Gordon Birtwistle, Ivor Emo and Cosima Towneley

1. Minutes

The minutes of the meeting held on 11th March 2020 were approved as a correct record.

2. Additional Items of Business

In accordance with the provisions of Section 100 (B)(4)(b) of the Local Government Act 1972 the Chair decided that the following item on business should be considered at item 11 of the agenda, the reason being to enable a timely response to the re-opening of the market.

Item 11 – Burnley Market COVID 19 Response

The item to be taken in private as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

3. Notice of Key Decisions and Private Meetings

IT WAS AGREED

That the 28 day Notice of Key Decisions and Private Meeting be noted.

4. The Council's response to COVID 19

The Chief Executive, the Chief Operating Officer and Heads of Service gave a presentation on the work that had been done within their service areas during the COVID 19 pandemic and also the work undertaken with partner organisations. They then responded to questions and observations from members.

All members before speaking praised the officers, staff and partner organisations for the significant work that they had done and were continuing to do during this time.

A summary of the questions and observations made by members and the responses given are as follows:

- Cllr Gordon Lishman

Q. looking forward, what is the short and medium term impact on the council finances and levels of reserves?

O. it would be unusual for things to return to normal quickly and the council should plan for possible 2nd and 3rd wave episodes of the virus before a vaccination became available.

Q. the North West economy was predicted to be the hardest hit by Brexit and combined with the pandemic what plans were there for the economy?

O. on the channels of communications and key messages to different audiences a communication strategy was going to be essential if there was a second spike of the virus in the autumn and the council needed to plan now and ensure clear messages were given if this happened.

Officers responded accepting that the recovery from the pandemic and Brexit would bring challenges. In respect of communications the Council was not working alone but with the Lancashire Resilience Forum and all partners, focusing on engagement with residents in Lancashire. In respect of council finances it was anticipated that there would be a £5m impact and the reserves situation was a critical issue, regular reports were being given to group leaders and to the Executive with more detail on the financial position. The Chief Executive said that Burnley was in a similar position to other local authorities and the Local Government Association had anticipated there would be a £6b impact across all local authorities in the country.

Cllr Andy Fewings

O. the 30-page presentation had been printed on one side which was wasteful and was also unnecessary as the presentation was being screened at the meeting.

Q. was there any commitment from the Government on the projected £5m shortfall?

Q. Homelessness during the crisis was being tackled but will this support continue after the pandemic? Could there be a commitment going forward.?

Q. Some residents were having a tough time personally and in areas where there was anti-social behaviour this had been exacerbated during lockdown. Could the reporting of ASB be more flexible as some residents did not have internet access and filling in diary sheets was too much for some people?

O. there was a lot of empty properties and with a recession forecast the council needs to do more in this area.

Officers responded that there was no commitment from Government regarding the shortfall but lobbying was taking place between all local authorities. In respect of homelessness officers were working with a multi-disciplinary team on the second phase and looking at a number of options on how to provide help for people. In respect of reporting ASB issues staff were providing support to residents and signposting residents to partners for help, the officer said she would be willing to look at flexibility of reporting but being mindful that in order for agencies to take action there had to be evidence to support the complaints. The officer would speak to Councillor Fewings separately on this issue. In respect of empty properties officers explained the work that was being undertaken on the acquisitions programme to buy and sell on properties, and working with owners of empty properties to bring their properties back into use through incentives and loans. Work was also being undertaken with the private landlord sector to promote landlord accreditation. There was a need to strategically plan for what was a limited resource and to direct it to where there would be the most impact.

Councillor Mark Townsend

O. Burnley's distribution of business grants was only 80% and £4m was in the bank which should have been out in the community. A deadline was set of April for distribution. A neighbouring authority had a 90% distribution rate and there was room for improvement in Burnley.

O. Government support was inadequate for local government and the £5m shortfall would require the council to set an emergency budget in the next few months. The priorities set in the February budget would be completely different now and money may need to be reallocated.

O. On economy and growth the presentation should have had a slide on job losses in the borough. All other local authorities and the LEP need to have a coordinated response. There was a need to provide an estimation of the scale of job losses over the next 12 months and how the council could then support businesses and the local economy.

O. in respect of the £16.7m infrastructure grant it was felt that the council had not done everything it could to hold the programme which kept people in work and created new jobs.

In response officers said that the league table of business grants published by the Government was misleading because some businesses in Burnley were not eligible for the money. Burnley`s distribution was at 86% and that 99% of the eligible grants applied for had been paid out. All the schemes in the infrastructure grant programme were going ahead but with a 6 – 8 week delay because of the pandemic and uncertainties of what work could be carried out. Schemes were back on track and all funding was secured to see them through.

Councillor Lian Pate

Q. what measures were being taken to keep in touch with children identified as vulnerable and also of new cases of vulnerable children because of being at home?

Q. Normally in summer holidays there would be provision to keep vulnerable children fed and also some guided activities to keep them occupied. What arrangements were in place to keep them active and on the right track at this time.?

Q. in the early days of the pandemic there were people who had no underlying health conditions but were classed as vulnerable such as the elderly, housebound or people with learning difficulties. As such they were not eligible for government support, they were still being identified now and it had taken 10 weeks for them to get a letter to allow them to get shopping support. Is the council confident that all people have been identified and what steps were being taken to assist those people who don't use social media or buy newspapers because they are shielding.?

Q. what analysis has been done on the financial impact on the third sector which provide essential services to the vulnerable, the impact of lack of fundraising etc. At what point are those services in Burnley Together to be wound up and what steps were there in place to bring them back if there was a second wave or increase in cases?

Q. the council has an IT strategy but there is a lack of a digital strategy and was there plans for a short term digital strategy to deal with issues?

Councillor Bea Foster

Q. will the homelessness working group continue?

Q, There is concern that whilst evictions are not happening at the moment there could be a lot after the lockdown period ends.

Q. Regarding performance has an analysis been done on the hard to reach groups in communities, ages and ethnic backgrounds etc who have been helped? A lot of third sector organisations are struggling and they are the ones helping the most needy.

O. On LRF and education and early years, concerns about vulnerable children not being in school. Need to ensure the children are kept safe.

Officers responded that all partners were working hard to get children back in school as soon as possible but whilst following the advice from Director of Public Health. In terms of analysis of data the officer said that he would see if this information could be captured. The third sector was being supported and working with the CVS and Community Foundation, organisations had been able to apply for grants totalling £60k and many had been awarded the maximum amount of £5k. Regular meetings were happening with voluntary groups every two weeks. Regarding homeless officers were working with the Executive and the Homelessness working group would be reconvened soon. Officers were mindful of evictions and a number of different approaches were taken with landlords to find a solution when a case was nearing eviction point. Also action would be taken in cases of illegal eviction.

Councillor Margaret Lishman, Executive Member for Resources and Performance Management thanked all staff and councillors who were working really hard during the pandemic. Regarding the budget she said that there would be difficult decisions to be made to manage the shortfalls and that options were being explored. She also said there was a need to have detailed figures from employers on potential job losses and a broad strategy on how we lift the economy. Regarding schools and vulnerable children she referred to the work being done at Shuttleworth College and said it would be a useful exercise for scrutiny to discuss with schools about how they were managing the situation. She reiterated that proposals were being taken to the Homelessness Working Group which would be reconvened soon and in respect of the charities she said that she was working with the Chair of the CVS and in contact with all its members to get a position statement from them on what the future looked like for them so that a coherent picture could be established. She said scrutiny had a massive role to play and thanked members for their involvement.

The Council Leader thanked members for their constructive comments tonight and paid tribute to officers for their support during this difficult time.

Councillor Cosima Towneley , Executive Member for Community and Environmental Services, referred to the £41.6m provided by the Government to date which was more funding per capita than the national average and the reason it hadn't all be spent was that the council was being careful with the public purse and ensuring all claims were valid.

The Chair thanked officers for their presentations and indicated that there would be three items for the July scrutiny meeting, the Notice of Key Decisions and Private Meetings, COVID 19 and an update on the Housing Review, and the work programme. He asked members to submit in writing any further questions linked to the presentation so that officers could provide a response which would be picked up at the July meeting.

5. Exclusion of the Public

That the public be excluded from the meeting before discussion takes place on the item relating to Minute 6 because in view of the nature of the business to be transacted if the public was present there would be a disclosure to them of exempt information within the meaning of Paragraph 12A of the Local Government Act 1972.

6. Burnley Market COVID 19 Response

Kate Ingram reported on proposals being taken to the Executive on a recovery plan for Burnley Market including revised opening times and a rent support package and outlined the options that had been considered.

Councillor Mark Townsend commented on the options and said that option 2 (b) should be considered and gave the reasons. He asked that the Executive members present note his comments when considering the report at their meeting on 16th June.

IT WAS AGREED

That the report be noted.

7. Work Programme 2020/21

BURNLEY BOROUGH COUNCIL

NOTICE OF KEY DECISIONS AND PRIVATE MEETINGS

This Notice contains:

- a) A list of Key Decisions to be taken by the Executive (unless otherwise stated) during the months July 2020 onwards, published by 8th June 2020. Due to current circumstances, these decisions could also be taken by Officers using urgency powers.
- b) Details of dates of meetings of the Executive during the same period at which decisions may be taken in private or partly in private

A Key Decision is an Executive decision that is likely:

- (i) to result in the local authority incurring expenditure which is, or the making of savings which are significant, having regard to the local authority's budget for the service or function to which a decision relates. The Council has said that Capital or Revenue spending over £100,000 will be a Key Decision; or
- (ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the Borough;

A private meeting is a meeting or part of a meeting of the Executive during which the public must be excluded whenever:

- a) it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item, confidential information would be disclosed to them in breach of the obligation of confidence;
- b) the Executive passes a resolution to exclude the public during that item where it is likely, in view of the nature of the item of business, that if members of the public were present during that item, exempt information would be disclosed to them; or
- c) a lawful power is used to exclude a member or members of the public in order to maintain orderly conduct or prevent misbehaviour at a meeting.

Matter for decision	Purpose	Key Decision Yes or No	Anticipated date of decision	Public or Private report. If Private give reasons	List of Documents to be submitted including any background papers	Contact person & Executive Portfolio
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Temporary Accommodation for Homeless Households	To consider a report on the introduction of a scheme for temporary accommodation	Yes	Jul 2020	Public	Report setting out the key issues	Paul Gatrell Head of Housing & Development Control Executive Member for Housing & Leisure
Contact Centre Dilapidations Parker Lane, Burnley	To consider a report on Land at North Side of Parker Lane, Burnley	Yes	September 2020	The report contains exempt information and is therefore NOT FOR PUBLICATION by virtue of Local Government Act 1972, Schedule 12A, Part I, Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Report setting out the key issues	Catherine Waudby Head of Legal and Democratic Services Executive Member for Resources and Performance Management
Single Use Plastics	To consider the use of Single Use Plastics	Yes- Notice of Motion referred from Full Council	September 2020	Public	Report setting out the key issues	Catherine Waudby Head of Legal and Democratic Services Executive Member for Resources and Performance Management

Matter for decision	Purpose	Key Decision Yes or No	Anticipated date of decision	Public or Private report. If Private give reasons	List of Documents to be submitted including any background papers	Contact person & Executive Portfolio
Finance Update	To update on the financial position resulting from Coronavirus	No (To Executive for information only)	July 2020	Public	Reports setting out the key issues	Asad Mushtaq Head of Finance and Property
Revenue, Capital and Treasury outturn reports for 2019/20	To consider Revenue, Capital and Treasury outturn reports for 2019/20	No (Full Council decision)	August 2020	Public	Reports setting out the key issues	Asad Mushtaq Head of Finance and Property Executive Member for Resources and Performance Management
Review of Burnley's Play Provision Strategy 2017 – 2026	Review of Burnley's Play Provision Strategy 2017 – 2026	Yes	December 2020	Public	Report setting out the key issues	Simon Goff Head of Green Spaces and Amenities Executive Member for Housing and Leisure

Meetings of the Executive will be held on the following dates: 7th July 2020, 11th August and 22nd September 2020. Meetings normally start at 6.30pm but times can change so please check the council website nearer the date of the meeting.

This Notice will be further updated by the following dates: 13th July 2020 and 24th August 2020.

Matter for decision	Purpose	Key Decision Yes or No	Anticipated date of decision	Public or Private report. If Private give reasons	List of Documents to be submitted including any background papers	Contact person & Executive Portfolio
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A further Notice will be given 5 clear days before each meeting listed above if the meeting or part of the meeting is to be held in private. If you wish to make any representations about why any meeting or part of a meeting proposed to be held in private should be open to the public please send them to: Catherine Waudby, Head of Legal and Democratic Services ,Town Hall, Manchester Road, Burnley BB11 9SA.

E-mail: HYPERLINK "mailto:"cwaudby@burnley.gov.uk
 2020 HYPERLINK "mailto:"

Published: By 8th June

Scrutiny Work Programme 2020/21

Wednesday 10 th June 2020	Covid 19 – The Council's response Reviews for 2020/21 Notice of key decisions and private meetings
Wednesday 1 st July 2020	Notice of Key Decisions and Private Meetings COVID 19 review and Housing Review update Work Programme
Monday 21 st September 2020	Notice of Key Decisions and Private Meetings Leisure Trust Annual Report Review Groups Work Programme
Monday 7 th December 2020 Budget Scrutiny Panel	NKDPM Resident Satisfaction Survey -(moved to December 2020) Revenue Budget Monitoring Q2 Capital Budget Monitoring - Q2 Fees & Charges Treasury Management Mid-year update Food Delivery Programme(annual update) Health & Safety Delivery Programme(annual update) Half Year performance report Review Groups Work Programme
Thursday 11 th February 2021 Budget Scrutiny Panel	NKDPM Revenue Budget Monitoring Q3 Capital Budget Monitoring - Q3 Revenue Budget 2021/22 Capital Budget 2021/22 and Cap Investment Prog 21/22 Treasury Management & Prudential Borrowing. Medium Term Financial Strategy Community Safety Annual Report Review Groups Work Programme
Wednesday 17 th March 2021	Notice of Key Decisions and Private Meetings State of the Local Economy (reduced to annual reporting) Review Groups

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